

David A. Carroll (Nevada Bar No. 7643)  
*dcarroll@rrsc-law.com*  
Anthony J. DiRaimondo (Nevada Bar No. 10875)  
*adiraimondo@rrsc-law.com*  
Robert E. Opdyke (Nevada State Bar No. 12841)  
*ropdyke@rrsc-law.com*  
**RICE REUTHER SULLIVAN & CARROLL, LLP**  
3800 Howard Hughes Parkway, Suite 1200  
Las Vegas, Nevada 89169  
Telephone: (702) 732-9099

Michael R. Reese (*pro hac vice*)  
*mreese@reesellp.com*  
**REESE LLP**  
100 West 93rd Street, 16th Floor  
New York, New York 10025  
Telephone: (212) 643-0500

George V. Granade (*pro hac vice*)  
*ggranade@reesellp.com*  
**REESE LLP**  
8484 Wilshire Boulevard, Suite 515  
Los Angeles, California 90211  
Telephone: (310) 393-0070

*Counsel for Plaintiff and the Proposed Class*

**UNITED DISTRICT COURT**  
**DISTRICT OF NEVADA**

AMY GILLER, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

AIRBNB, INC., a Delaware corporation,

Defendant.

Case No. 2:24-cv-01266-RFB-BNW

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND DEADLINE FOR  
FILING OF DISCOVERY PLAN  
(FIRST REQUEST)**

1 Plaintiff Amy Giller (“Plaintiff” or “Giller”), on one hand, and Defendant Airbnb, Inc.  
2 (“Defendant” or “Airbnb”), on the other hand, by and through their respective undersigned attorneys  
3 of record, hereby stipulate and agree to extend the deadline to file a discovery plan in this case. The  
4 current deadline is September 10, 2024. This is the first request for an extension of time concerning  
5 this deadline.

- 6 1. On July 24, 2024, Defendant filed two motions, the Motion to Compel Arbitration (originally  
7 ECF No. 9, with corrected image filed the next day as ECF No. 11) and the Motion to  
8 Dismiss (ECF No. 10) (the “Motions”). The Court entered an extended briefing schedule  
9 (ECF No. 19), which sets the deadline of September 12, 2024, for the filing of Plaintiff’s  
10 oppositions to the Motions.
- 11 2. Based on the date of filing of Defendant’s Motions, LR 26-1(a) required the parties to hold  
12 the Rule 26(f) conference on or before August 26, 2024, and for a discovery plan to be  
13 submitted before September 10, 2024.
- 14 3. On or shortly after July 24, 2024, the parties met and conferred telephonically about a  
15 discovery plan. Defendant inquired with Plaintiff whether Plaintiff would agree to a stay of  
16 discovery while the Motions were pending. Plaintiff requested additional time to consider  
17 the request, including to evaluate the positions taken by Defendants’ Motions, which had  
18 only been recently filed.
- 19 4. A continued meet and confer was scheduled for August 28, 2024, but this was continued to  
20 September 5, 2024 based on an emergency hearing set in another matter, which presented a  
21 conflict for Defendant.
- 22 5. On September 5, 2024, the parties held the continued meet and confer via Microsoft Teams  
23 virtual conference. The parties require additional time to consider each other’s positions  
24 concerning discovery. Among other things, additional time will allow Plaintiff to file her  
25 opposition to the Motions on or before September 12, 2024 (ECF No. 19), which will include  
26 substantive arguments relevant to the analysis of whether a stay is appropriate under  
27 applicable law. *Ministerio Roca Solida v. U.S. Dept. of Fish and Wildlife*, 288 F.R.D. 500,  
28 502, 506 (D. Nev. 2013) (among other things, court must take a “preliminary peek” at the

merits of the potentially dispositive motion to dismiss and determine whether it is convinced that the plaintiff is unable to state a claim for relief). Additional time will allow the parties to submit a discovery plan that includes their respective positions (to the extent they are unable to reach an agreement on a discovery plan or a stay of discovery).

6. Subject to the Court's approval of this stipulation, the parties are scheduled to continue their meet and confer on September 19, 2024 via Microsoft Teams. Accordingly, the parties request up to and including October 1, 2024, to file their discovery plan.
7. The parties also agree that their respective Rule 26 Initial Disclosures shall be produced within fourteen (14) days of the submission of the parties' discovery plan (i.e., on or before October 15, 2024), assuming no motion to stay discovery has been filed.
8. Nothing in this stipulation shall constitute a waiver of Defendant's rights to file a motion to stay discovery. Nor shall this stipulation constitute a waiver of Plaintiff's rights to oppose any stay of discovery sought by Defendant.

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9. Good cause exists to grant this stipulation and it is submitted in good faith, is not interposed for delay, and is not filed for an improper purpose.

Dated: September 10, 2024

Dated: September 10, 2024

Respectfully submitted,

Respectfully submitted,

**RICE REUTHER SULLIVAN &  
CARROLL, LLP**

**FENNEMORE CRAIG, P.C.**

/s/ Anthony J. DiRaimondo

/s/ Richard I. Dreitzer

David A. Carroll, Esq. (NSB #7643)  
Anthony J. DiRaimondo, Esq. (NSB #10875)  
Robert E. Opdyke, Esq. (NSB #12841)  
3800 Howard Hughes Parkway, Suite 1200  
Las Vegas, Nevada 89169

Richard I. Dreitzer, Esq. (NSB #6626)  
Luis E. Montanez, Esq. (NSB #16281)  
9275 W. Russell Road, Suite 240  
Las Vegas, Nevada 89148

*Attorneys for Plaintiff and the Proposed Class*

*Attorneys for Defendant Airbnb, Inc.*

**ORDER**

IT IS SO ORDERED

  
UNITED STATES MAGISTRATE JUDGE

DATED: September 11, 2024